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EXAMINER

NGUYEN, HUY THANH

ART UNIT

PAPER NUMBER

2616

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/757,089	Applicant(s) HAUSSMANN ET AL.	
	Examiner HUY T. NGUYEN	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-39 and 44 –47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification does not describe the same recorded content of the video disc can be linking a passive fixed ordered sequence that can not altered by the user and in a interactive sequence (the content of the sequence can be altered by the user) as being recited in claims 1, 7,22,29,35,43-46.

Claim Objections

2. Claims 1, 2-6 and 29 objected to because of the following informalities..

Appropriate correction is required.

In claims 1 and 29, it is not clear whether the first menu selection and second menu selection are provided in the main menu at the same time or at different time

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during playing the content . Further it is not clear if the “predetermined timeout has lapsed “ from the first menu selection or second menu selection.

Claim 2-6, It is not clear “trailer”, “sneak peak” , “ delete scene”, “ bonus” and “still gallery” is relating to the first menu section (passive fixed ordered sequence) or second menu selection (interactive sequence).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 –17,20-26,35-39, 42, and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taira (20030113096) in view of Lambert et al (6,895,170).

Regarding claim 7, 44-46, Taira discloses a medium having a plurality of data blocks stored therein that can be viewed by playing the medium in a medium player, the medium comprising:

a first instruction set that instructs the medium player to play the plurality of data blocks of the medium in a pre-determined sequence normal sequence in a normal reproducing mode (section 0562, page 30, section 0298, page 15)

a second instruction set that instructs the medium player to play the plurality of data blocks of the medium in response to user commands that determine the order for playing the plurality of data blocks of the medium (section 0298, page 15, section 0597, page 31).

Regarding claim 8, Taira further teaches that the medium comprising an instruction set selector that determines whether the first instruction set or the second instruction set will be used to play the plurality of data blocks of the medium since the user can select first instruction set or second instruction set to be played (normal play back, special , skip or repeat playback, select chapter or title from displayed menu (section 0298, page 15, section 0597, page 31).

Taira further teaches the reproduction of video blocks recorded on the DVD can be controlled by instruction stored on the DVD but fails to specifically teach that the video content can be set as a fix ordered sequence . Lambert teaches using a control means for providing instructions on a medium (directory information and bookkeeping information) to set the video bocks of the content recorded a video disc can be a fixed ordered sequence in reproduction or the video bocks of a sequence can be altered in different order (columns 5 and 6).

It would have been obvious to one of ordinary skill in the art to modify Taira with Lambert by using a control means of Lambert for providing the DVD of Taira with the instructions as taught by Lambert for controlling the content of the video disc to

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be reproduced with a designated sequence thereby providing more convenience to the user for operating of the DVD player fro selecting a desired sequence for viewing .

Regarding claims 9 and 10 , Taira teaches using default instruction set to set a predetermined blocks to be played (sections 0561-0562, 0298).

Regarding claim 11, Taira teaches further teaches the instruction set selector receives an input from the user to switch to the first instruction or to the second instruction set (section 0298, page 15, section 0597, page 31)..

Regarding claim 12 Taira teaches the user commands are chosen from a menu by the user (section 0298, page 15, section 0597-0602, page 31)..

Regarding claim 13, Taira further teaches that the medium is a digital video disc.

Regarding claim 14, Taira further teaches that the medium player is a digital video disc player (Figs 63,64).

Regarding claim 15, Taira further teaches the medium player is operable with a video display that can display the plurality of data blocks of the medium (Figs . 63,64).

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Regarding claim 16, Taira teaches further teaches the plurality of data blocks include at least one movie .

Regarding claim 17, Taira further teaches fails to specifically teaches that the medium further includes trailers (section 0298 page 15).

Regarding claims 20 and 21 Taira teaches the instruction sets instruct a controller of the medium player (Fig. 63,64).

Regarding claim 22, Taira teaches a method of playing a plurality of data blocks of a medium, the method comprising:

automatically playing the plurality of data blocks of the medium in a pre determined sequence (section 0557 to 0562, page 30). .

upon receiving an input from a user, interrupting the playing of the plurality of data blocks of the medium in the pre-determined sequence (section 0594 to section 0603, page 30)column 34, lines 30-68;

providing a menu to the user so that the user can select the plurality of data blocks of the medium that the user would like to view (section 0594 to section 0603, page 30).

playing the plurality of data blocks of the medium that the user has chosen from the menu (section 0594 to section 0603, page 30).

Regarding claim 23, Taira teaches the medium is a digital video disc (page 30, Figs 63,64).

Regarding claim 24, Taira teaches the plurality of data blocks of the digital video disc are played using a digital video disc player (Figs. 63,64).

Regarding claims 25 and 26, Taira teaches the plurality of data blocks include at least one movie and Trailer (section 0298, page 15)..

Regarding claim 35, Taira discloses a method of selecting a mode for displaying the contents of a medium, the method comprising:

displaying the contents of a medium in a first mode (normal reproducing mode) according to a first set of instructions, wherein the first set of instructions instructs the displaying the contents of the medium to be effectuated in a predetermined sequence (sections 0557-0562, page 30, 0298, page 15).

upon receiving a user input, selecting a second mode, wherein the user can select the contents of the DVD to be displayed through a user input (section 0594 to section 0603, page 31). and

after receiving the user input, displaying the contents of the medium in the second mode according to a second set of instructions (section 0594 to section 0603, page 31).

Regarding claim 36, Taira further teaches the second set of instructions allows a the user to determine an order of viewing the contents of the medium(section 0594 to section 0603, page 31.

Regarding claim 37, Taira further the medium is a digital video disc (page 30)page 30, Figs. 63,64).

Regarding claim 38, Kikuchi further teaches wherein the user inputted is effectuated by making a selection from a menu section 0594 to section 0603, page 31).

Regarding claims 39 and 47, Taira teaches a method of viewing the contents stored on a medium, the method comprising:

automatically playing a first set of data blocks of the medium in a pre ordered viewing mode (section 0557-0561, page 30, section 0298, page 15);

upon receiving an input from a user, interrupting the pre-ordered viewing mode (section 0594,0602, page 31);

providing a menu to the user so that the user can select either the pre ordered viewing mode or a standard viewing mode, wherein the user can select a subset of a second set of data blocks to view in the standard viewing mode (section 0594,0602, page 31;

resuming the playing of the first set of data blocks at the point of interruption in the pre-ordered viewing mode if the user selects the pre-ordered viewing mode((section 0597, page 31;

initiating the playing of the subset of the second set of data blocks in the standard viewing mode at the point of interruption in the first set of data blocks if the user selects the subset of the second set of data blocks to coincide with the first set of

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data blocks (sections 0597-0603, page 31); and

initiating the playing of the subset of the second set of data blocks in the standard viewing mode at the beginning of the subset of the second set of data blocks if the user selects the subset of the second set of data blocks such that the subset of the second set of data blocks does not coincide with the first set of data blocks (section 0597-0603).

Taira further teaches the reproduction of video blocks recorded on the DVD can be controlled by instruction stored on the DVD but fails to specifically teach that the video content can be set as a fix ordered sequence. Lambert teaches using a control means for providing instructions on a medium (directory information and bookkeeping information) to set the video bocks of the content recorded a video disc can be a fixed ordered sequence in reproduction or the video bocks of a sequence can be altered in different order (columns 5 and 6).

It would have been obvious to one of ordinary skill in the art to modify Taira with Lambert by using a control means of Lambert for providing the DVD of Taira with the instructions as taught by Lambert for controlling the content of the video disc to be reproduced with a designated sequence thereby providing more convenience to the user for operating of the DVD player for selecting a desired sequence for viewing.

Regarding claims 42, Taira further teaches the medium is a digital video disc.

5. Claims 29-31, 33, 43 and 46 rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama et al (5,630,006) in view of Lambert et al (6,895,170).

Regarding claim 29 and 46, Hirayama teaches a method of playing a plurality of data blocks of a medium in a user friendly manner, the method comprising:

providing a menu to a user for selecting the plurality of data blocks of the medium to be viewed in a predetermined sequence or interactive sequence time order sequence ; and

upon not receiving an input within a pre-determined time interval from the user selecting the plurality of data blocks of the medium to be viewed, automatically playing the plurality of data blocks of the medium in a pre-determined sequence (column 10, lines 25-55).

Hirayama fails to specifically teach that the video content can be set as a fix ordered sequence . Lambert teaches using a control means for providing instructions on a medium (directory information and bookkeeping information) to set the video bocks of the content recorded a video disc can be a fixed ordered sequence in reproduction or the video bocks of a sequence can be altered in different order (columns 5 and 6).

It would have been obvious to one of ordinary skill in the art to modify Hirayama with Lambert by using a control means of Lambert for providing the DVD of Hirayama with the instructions as taught by Lambert for controlling the content of the video disc to be reproduced with a designated sequence thereby providing more convenience to the

Regarding claim 30, Hirayama The method of claim 29, further comprising upon receiving an input from the user (stop or pause operation) after the pre-determined time interval, interrupting the playing of the plurality of data blocks of the medium in the pre-determined sequence.

Regarding claims 31, Hirayama further teaches to teaches providing a menu to the user so that the user can select either the plurality of data blocks of the medium that the user would like to view or to continue viewing the plurality of data blocks of the medium in the pre-determined sequence (column 10, lines 35-55).

Regarding claim 33, Hirayama further playing the plurality of data blocks of the medium that the user has chosen from the menu (column 10, lines 35-55).

6. Claims 18,19 , 27,28 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taira (20030113096) in view of Lambert et al as applied to claims 7 –17,20-26,35-39 above , further in view of Mock (20040136698).

Regarding claims 18, 27, and 40 and 41 , Taira fails to teaches the medium further includes bonus material . However, it is noted providing a medium with bonus material is well known in the art and as taught by Mock (See Mock, page 12, column 1 Fig 8). It would have been obvious to one of ordinary skill in the at to modify Taira with Mock by providing the medium of Taira with bonus material as an addition title of the medium.

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Regarding claims 19, and 28, Taira as modified with Mock further teaches the plurality of data blocks include at least one sneak peak (See Mock , Fig. 8).

7. Claims 1-3 rejected under 35 U.S.C. 103(a) as being unpatentable over Taira (20030113096) in view of Hirayama et al (5,630,006) and Lambert et al .

Regarding claim 1, Taira discloses an apparatus for performing a method for automatically playing the contents of a digital video disc, the method comprises :

linking the contents of the digital video disc in a sequence (sections 0557-0564 , page 30);

upon receiving an input from a user, interrupting the playing of the plurality of data blocks of the medium in the pre-determined sequence (section 0298 page 15).

providing a menu to the user so that the user can select the plurality of data blocks of the medium that the user would like to view (sections 0594 0597,page 31).

playing the plurality of data blocks of the medium that the user has chosen from the menu (section 06-2-0604, page 31) .

Taira fails to teach a control means for setting a predetermined timeout of the menu and for proceeding playing a sequence after the predetermined timeout lapsed .

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Hirayama teaches an apparatus having a control means providing a main menu with a pre-determined timeout and proceeding to play the contents of the DVD in sequence after the pre determined timeout has lapsed without any interaction from a user (column 10, lines 25-55).

It would have been obvious to one of ordinary skill in the art to modify Taira with Hirayama by providing Kikuchi apparatus with a control means as taught by Hirayama for providing the menu with a predetermined timeout and for processing playing a sequence of content of the DVD as an alternative to the method of playing the content of Taira.

Regarding claim 2, Taira further teaches that the medium further includes trailers (section 0298, page 15) and the trailer can be played prior to display of the main menu since Taira teaches that the play order of a trailer, title or menu can be set by a software producer (section 0298 page 15, section 0557 - 0562, page 30).

8. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taira (20030113096) in view of Hirayama et al and Lambert et al as applied to claims 1 above, further in view of Mock (20040136698).

Regarding claims 3-6, Taira fails to teach the medium further includes bonus material, sneak peak, deleted scene and still gallery. However, it is noted providing a medium with bonus material, deleted scene, still gallery, sneak peak is well known in the art and as taught by Mock (See Mock, Fig 8 page 12). It would have been

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obvious to one of ordinary skill in the art to modify Taira with Mock by providing the medium of Taira with bonus material as an additional title of the medium.

Taira as modified with Mock further teaches displaying, bonus material, deleted scene, still gallery, sneak peak after the display of the feature since Taira teaches the display order of the predetermined title or chapter can be set by a software producer (section 0298 page 15, section 0557 - 0562, page 30).

9. Claims 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama in view of Lambert as applied to claims 30-31,33, further in view of Taira (20030113096).

Regarding claims 32 and 34, Hirayama fails to specifically teach resuming the playing of the plurality of data blocks at the point of interruption if the user interrupts the playing to view the menu.

Taira teaches apparatus having means for resuming the playing of a plurality of data blocks at the point of the interruption (section 0597). It would have been obvious to one of ordinary skill in the art to modify Hirayama with Taira by using a control means as taught by Taira with Hirayama apparatus for resuming the play of a plurality of blocks at the point of interruption thereby enhancing the capacity of the apparatus of Hirayama.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N


HUY NGUYEN
PRIMARY EXAMINER